

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

HOLLY SWEAT

vs.

CASE NUMBER: 1:08-CV-1108 (FJS/VEB)

MICHAEL ASTRUE, COMMISSIONER OF SOCIAL SECURITY

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendations of Magistrate Judge Victor E. Bianchini is ACCEPTED in its entirety, therefore Plaintiff's Motion for Judgment on the Pleadings is GRANTED, Defendant's Motion for Judgment on the Pleadings is DENIED, the decision of the Commissioner is REVERSED and this case is REMANDED pursuant to sentence four of 42 USC section 405(g) for further administrative proceedings.

All of the above pursuant to the order of the Honorable Senior Judge Frederick J. Scullin, Jr., dated the 24th day of June, 2011.

DATED: June 24, 2011


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk